IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HON'BLE THE CHIEF JUSTICE MR.V.K.BALI
&
THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

THURSDAY, THE 21ST DECEMBER 2006 / 30TH AGRAHAYANA 1928

WA.No. 2424 of 2006()

AGAINST THE JUDGEMENT/ORDER IN WPC.32153/2006 Dated 05/12/2006
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APPELLANT: PETITIONER:

MOIDEEN SHAH, S/O.MARAKKAR SHAH,
SHAH INTERNATIONAL, NORTH SQUARE,
PARAMARA ROAD, ERNAKULAM.

BY ADV. SRI.JOSHI N.THOMAS

RESPONDENTS:

DR.JOSEPH MATHEW PALLITHANAM,
RESIDING AT SACRED HEART HOSPITAL,
QUARTERS, GREEN GARDENS, CHERTHALAI,
ALAPPUZHA DISTRICT.

THIS WRIT APPEAL HAVING COME UP FOR ADMISSION ON 21/12/2006, THE COURT ON 21/12/2006 DELIVERED THE FOLLOWING:

V.K.Bali,C.J. & C.N.Ramachandran Nair,J.

W.A.No.2424 of 2006

Dated this the 21st day of December, 2006

JUDGMENT

V.K.Bali, C.J.(oral)

We find no illegality or irregularity in the order passed by the learned Single Judge in W.P.(C).No.32153 of 2006 dated 5.12.2006 that has been challenged in the present Writ Appeal. The petitioner has, indeed, the remedy of appeal and if that be so, the impugned order could not be permitted to be challenged in proceedings under Article 226 of the Constitution of India. No merits. Dismissed.

V.K.Bali
Chief Justice

C.N.Ramachandran Nair
Judge

pms/vku/